



## A BILL FOR AN ORDINANCE

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TO AMEND PORTIONS (14.85 ACRES) OF THE STATE LAND USE DISTRICT BOUNDARY MAP (KAHUKU QUADRANGLE) FROM THE AGRICULTURAL DISTRICT TO THE URBAN DISTRICT AND A PORTION (0.03 ACRES) FROM THE URBAN DISTRICT TO THE AGRICULTURAL DISTRICT FOR CERTAIN LANDS SITUATED AT BRIGHAM YOUNG UNIVERSITY – HAWAII, LAIE, OAHU, HAWAII.

BE IT ORDAINED by the People of the City and County of Honolulu.

SECTION 1. Portions (14.85 acres) of the State Land Use District Boundary Map (Kahuku Quadrangle) are hereby amended by reclassifying certain lands in Laie on the Brigham Young University – Hawaii campus from the Agricultural District to the Urban District, and a portion (0.03 acres) from the Urban District to the Agricultural District, as shown on the map attached hereto, marked "Exhibit A" and by reference made a part hereof. The purpose of this amendment is to place five areas of land (areas identified as portions of Tax Map Keys 5-5-006: 005 and 5-5-006: 032) in the Urban District and one area of land (identified as a portion of Tax Map Key 5-5-006: 005) in the Agricultural District.

SECTION 2. The reclassification of lands in SECTION 1 is subject to the following conditions:

- a. Brigham Young University–Hawaii ("BYU–H") and its successors and assigns are prohibited from taking any action that would interfere with or restrain farming operations conducted in a manner consistent with generally accepted agricultural and management practices on adjacent and contiguous lands in the State Land Use Agricultural District. For the purpose of this SECTION, "farming operations" has the same meaning as defined in Section 165-2 of the Hawaii Revised Statutes ("HRS"); and
- b. BYU–H shall notify all prospective developers or purchasers of land in the area reclassified from the Agricultural District to the Urban District, and provide or require subsequent notice to lessees or tenants of the land, that farming operations or practices on adjacent or contiguous land in the State Land Use Agricultural District are protected under HRS Chapter 165, the Hawaii Right to Farm Act. The notice must be included in any disclosure required for the sale or transfer of real property or any interest in real property.



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ORDINANCE \_\_\_\_\_

BILL **94 (2018), CD2**

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SECTION 3. This ordinance takes effect upon its approval.

INTRODUCED BY:

Ernest Martin (br) \_\_\_\_\_

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DATE OF INTRODUCTION:

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\_\_\_\_\_

December 17, 2018  
Honolulu, Hawaii

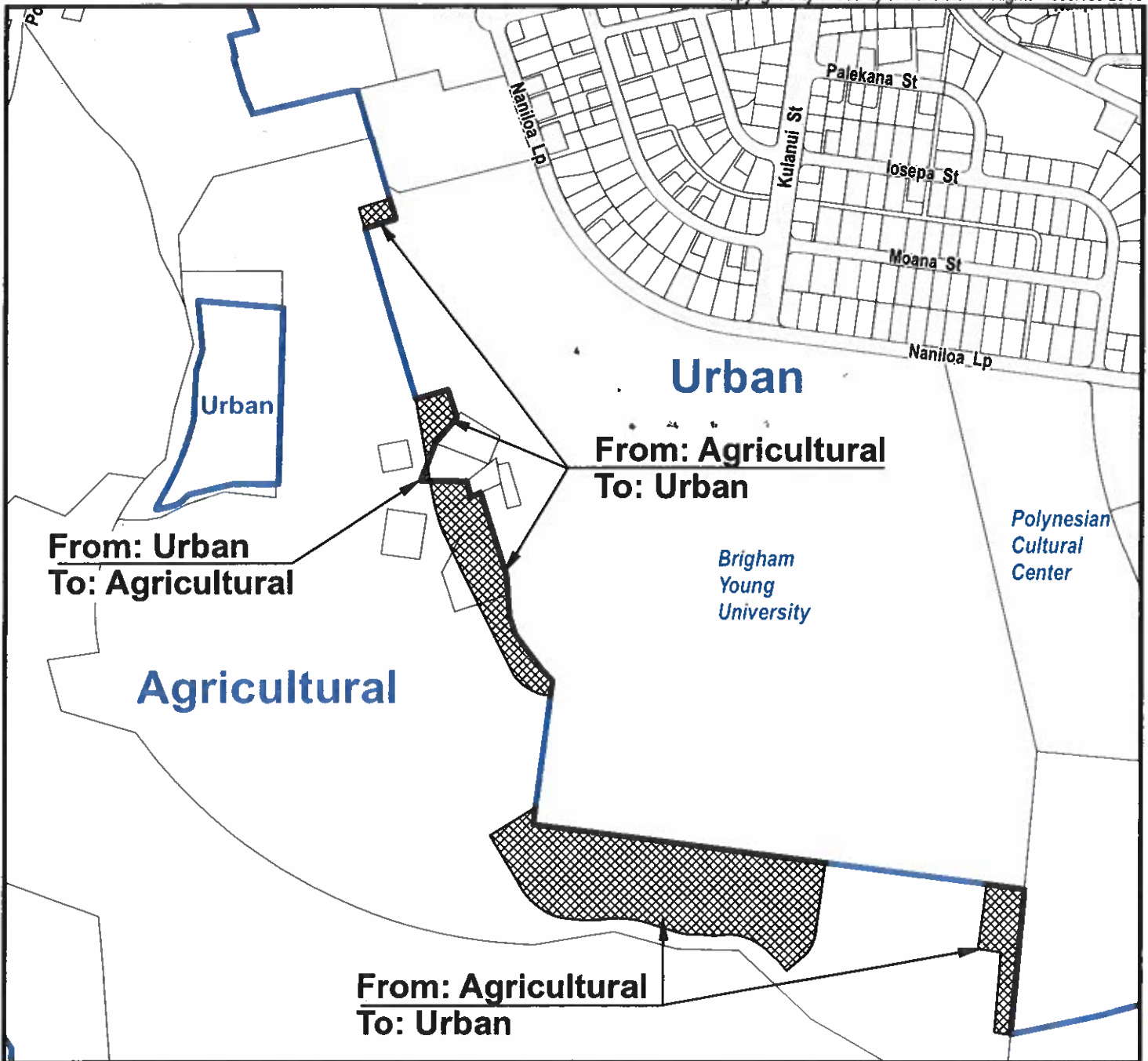
\_\_\_\_\_  
Councilmembers

APPROVED AS TO FORM AND LEGALITY:

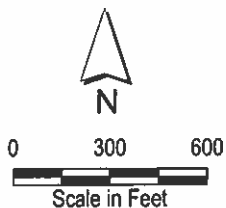
\_\_\_\_\_  
Deputy Corporation Counsel

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
KIRK CALDWELL, Mayor  
City and County of Honolulu



AMENDMENT TO  
**STATE LAND USE DISTRICT MAP**  
Kahuku Quadrangle



APPLICANT: BRIGHAM YOUNG UNIVERSITY

TAX MAP KEY(S): 5-5-006: POR. 5 & POR. 32

FOLDER NO.: 2018/GEN-8

LAND AREA: APPROXIMATELY 14.85 ACRES

PREPARED BY: DEPARTMENT OF PLANNING & PERMITTING  
CITY AND COUNTY OF HONOLULU

PUBLIC HEARING

PLANNING COMMISSION

CITY COUNCIL

ORD. NO.

EFF. DATE:

EXHIBIT A

BILL

2018/SLU-1